

INTERNET
FORM NLRB-501
(2-09)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

FORM EXEMPT UNDER 44 U.S.C. 3512

DO NOT WRITE IN THIS SPACECase
01-CA-178585Date Filed
6/17/2016**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer McBee Enterprises d/b/a McDonald's and McDonald's USA LLC		b. Tel. No. 508-588-9920
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) Store: McDonald's 908 N. Montello St. 2111 McDonald's Dr. Brockton, MA 02301 Oak Brook, IL 60523	e. Employer Representative Store: (b) (6), (b) (7)(C) McDonald's: Gloria Santona	
		g. e-Mail
		h. Number of workers employed 96,000
i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurant	j. Identify principal product or service Food Service	

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On or about (b) 2016, employer violated Section 8(a)(1) of the National Labor Relations Act by engaging in the following activities:

1. threatening violence against an organizer in the presence of employees,
2. assaulting an organizer in the presence of employees,
3. and generally engaging in conduct that would chill union activity.


3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Fast Food Workers Committee

4a. Address (Street and number, city, state, and ZIP code) 1 Metrotech Roadway Brooklyn, NY 11201	4b. Tel. No. (b) (6), (b) (7)(C)
	4c. Cell No.
	4d. Fax No.
	4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By  Daniel E Livingston
(signature of representative or person making charge) (Printtype name and title or office, if any)

Tel. No. 860-712-4668
Office, if any, Cell No.
Fax No. 860-232-7818
e-Mail delivingston@lapm.org

Address 557 Prospect Avenue, Hartford, CT 06105

6/17/16
(date)**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

1575-12

1575-12

REGION ONE
BOSTON, MA 02222-1072

2016 JUN 17 PM 4:38

RECEIVED
NATIONAL LABOR
RELATIONS BOARD

LAW OFFICES

LIVINGSTON, ADLER, PULDA, MEIKLEJOHN & KELLY, P.C.

557 PROSPECT AVENUE • HARTFORD, CONNECTICUT 06105-2922

TELEPHONE: (860) 233-9821 • FAX (860) 232-7818

NEW LONDON OFFICE: (860) 437-0589

WWW.LAPM.ORG

 C-128

DANIEL E. LIVINGSTON
GREGG D. ADLER
THOMAS W. MEIKLEJOHN
MARY E. KELLY
HENRY E. MURRAY
NICOLE M. ROTHORP*

RUTH L. PULDA
1955-2008

OF COUNSEL:
PETER GOBELIN

*ALSO ADMITTED IN
MASSACHUSETTS

DATE: June 17, 2016 TIME: 4:15 p.m.TO: John J. Walsh, Jr. FAX NO: 617-565-6725

CC: _____ FAX NO: _____

FROM: Dan LivingstonTOTAL NUMBER OF PAGES (INCLUDING THIS SHEET) 3

SPECIAL INSTRUCTIONS:

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL Debbie 860-233-9821 x233.

THIS MESSAGE IS ONLY FOR THE USE OF THE ADDRESSEE AND MAY CONTAIN CONFIDENTIAL AND PRIVILEGED INFORMATION. Any dissemination, distribution or copying of this communication other than by the intended recipient is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (collect), and destroy all copies of this communication. Thank you.

RECEIVED
NATIONAL LABOR
RELATIONS BOARD

2016 JUN 17 PM 4:38

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BOSTON, MA 02222-1072

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RUTH L. PULDA
1955-2008

OF COUNSEL
PETER GOSKIN

*ALSO ADMITTED IN
MASSACHUSETTS

WRITER'S DIRECT DIAL
(860) 570-4825
delivingston@lapm.org

June 17, 2016

John J. Walsh, Jr., Regional Director
NLRB, Region 1
10 Causeway Street
6th Floor
Boston, MA 02222-1072

Re: McDonald's located at 908 N. Montello Street, Brockton, MA 02301

Dear Mr. Walsh:

Enclosed for filing please find a Charge Against Employer in the above-referenced matter. To make arrangements for the investigation, please have the Board Agent assigned to this case contact:

Lauren Bonds, Assistant General Counsel
Service Employees International Union (SEIU)
1800 Massachusetts Avenue, NW
Washington, DC 20036
Office: 202-730-7149
Cell: 202-251-6699
lauren.bonds@seiu.org

Thank you.

Very truly yours,

Daniel E. Livingston/drc
Daniel E. Livingston

drc
Enclosure

RECEIVED
NATIONAL LABOR
RELATIONS BOARD

2016 JUN 17 PM 4:38

REGION ONE
BOSTON, MA 02222-1072



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 1
10 Causeway St Fl 6
Boston, MA 02222-1001

Agency Website: www.nlr.gov
Telephone: (617) 565-6700
Fax: (617) 565-6725

Agent's Direct Dial: (617) 565-6722

June 20, 2016

DANIEL E. LIVINGSTON, ATTORNEY
LIVINGSTON, ADLER, PULDA, MEIKLEJOHN & KELLY, P.C.
557 PROSPECT AVE
HARTFORD, CT 06105-2922

Re: MCBEE ENTERPRISES D/B/A
MCDONALDS AND MCDONALDS USA
LLC
Case 01-CA-178585

Dear Mr. Livingston:

Upon review of the allegations in your client's charge, the Region has decided that injunctive relief may be appropriate under Section 10(j) of the National Labor Relations Act. This letter is to advise you of how a 10(j) investigation differs from a typical unfair labor practice investigation and what you can do to assist in that investigation.

Section 10(j) of the Act allows the Board to seek immediate injunctive relief in U.S. District Court. This extraordinary relief is available only in situations where the Board's normal procedures will not provide effective relief because, by the time the Board issues an order, the damage caused by the illegal acts cannot be undone. You should be aware that the investigation of a 10(j) case differs from other unfair labor practice investigations in two important respects.


First, in addition to obtaining evidence to show that an unfair labor practice has occurred, the Board agent, during the initial investigation, must also obtain evidence showing that, without an injunction, the alleged unlawful acts could have a permanent effect so that any Board remedy would have no real effect. The Board agent may question you and other witnesses about the impact of the alleged violations on statutory rights, including facts that will show any "chill" on the right of you or other employees to engage in concerted or union activities. This evidence of impact varies from case to case depending on the nature of the unlawful conduct. Examples include: a drop in the number of union authorization cards obtained after the unfair labor practices began; a decrease in attendance at union organizing meetings; the number of employees affected by changes to important working conditions; and statements made by employees that would show, because of the unfair labor practices, they fear losing their jobs, are angry at the union, believe the union is ineffective, believe organizing is futile, etc.

Second, the investigation of cases involving potential 10(j) relief has priority over most other cases in the Region. This is because delay may entirely preclude injunctive relief where the situation has changed so much that an injunction cannot undo the harm caused by the unfair labor

practices. Thus, you should be prepared to present all of your evidence, including impact evidence, as quickly as possible.

If you have any questions, please contact the Board agent assigned to investigate your client's charge. Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "John J. Walsh, Jr.", written in a cursive style.

JOHN J. WALSH, JR.
Regional Director

JJW/rg



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 1
10 Causeway St Fl 6
Boston, MA 02222-1001

Agency Website: www.nlr.gov
Telephone: (617) 565-6700
Fax: (617) 565-6725



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June 20, 2016

FAST FOOD WORKERS COMMITTEE
1 METROTECH ROADWAY
BROOKLYN, NY 11201

Re: MCBEE ENTERPRISES D/B/A
MCDONALDS AND MCDONALDS USA
LLC
Case 01-CA-178585

Dear Sir or Madam:

The charge that you filed in this case on June 17, 2016 has been docketed as case number 01-CA-178585. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney LUCY E. REYES whose telephone number is (617) 565-6722. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN F. MCCARTHY whose telephone number is (617) 565-6754.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "John J. Walsh, Jr.", written in a cursive style.

JOHN J. WALSH, JR.
Regional Director

JJW/rg

cc: DANIEL E. LIVINGSTON, ATTORNEY
LIVINGSTON, ADLER, PULDA, MEIKLEJOHN & KELLY, P.C.
557 PROSPECT AVE
HARTFORD, CT 06105-2922

LAUREN BONDS, ESQ.
SECURITY EMPLOYEES INTERNATIONAL UNION
1800 MASSACHUSETTS AVENUE, NW
WASHINGTON, DC 20036

JUDITH A. SCOTT, GENERAL COUNSEL
SERVICE EMPLOYEES INTERNATIONAL UNION
1800 MASSACHUSETTS AVENUE NW, 6TH FLOOR
WASHINGTON, DC 20036-1806



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 1
10 Causeway St Fl 6
Boston, MA 02222-1001

Agency Website: www.nlrb.gov
Telephone: (617) 565-6700
Fax: (617) 565-6725



Download
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June 20, 2016

(b) (6), (b) (7)(C)

MCBEE ENTERPRISES D/B/A MCDONALDS AND MCDONALDS USA LLC
908 NORTH MONTELLO ST
BROCKTON, MA 02301-1665

Re: MCBEE ENTERPRISES D/B/A
MCDONALDS AND MCDONALDS USA
LLC
Case 01-CA-178585

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney LUCY E. REYES whose telephone number is (617) 565-6722. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN F. MCCARTHY whose telephone number is (617) 565-6754.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly. **Due to the nature of the allegations in the enclosed unfair labor practice charge, we have identified this case as**

one in which injunctive relief pursuant to Section 10(j) of the Act may be appropriate. Therefore, in addition to investigating the merits of the unfair labor practice allegations, the Board agent will also inquire into those factors relevant to making a determination as to whether or not 10(j) injunctive relief is appropriate in this case. Accordingly, please include your position on the appropriateness of Section 10(j) relief when you submit your evidence relevant to the investigation.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

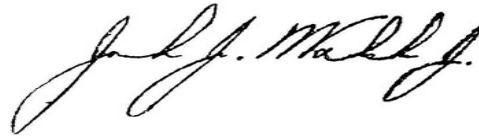
We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "John J. Walsh, Jr.", written in a cursive style.

JOHN J. WALSH, JR.
Regional Director

JJW/rg

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: GLORIA SANTONE
MCDONALD'S CORP.
2111 MCDONALD'S DR
OAK BROOK, IL 60523

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

01-CA-178585

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: _____**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**MCBEE ENTERPRISES D/B/A MCDONALDS
AND MCDONALDS USA LLC**

Charged Party

and

FAST FOOD WORKERS COMMITTEE

Charging Party

Case 01-CA-178585

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on June 20, 2016, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

MCBEE ENTERPRISES D/B/A MCDONALDS AND MCDONALDS USA LLC
908 NORTH MONTELLO ST
BROCKTON, MA 02301-1665

GLORIA SANTONE
MCDONALD'S CORP.
2111 MCDONALD'S DR
OAK BROOK, IL 60523

June 20, 2016

Date

Robert Gaffney, Designated Agent of
NLRB

Name

/s/ Robert Gaffney

Signature

From: [Lauren Bonds](#)
To: [Reyes, Lucy E.](#)
Subject: Re: Case 01-CA-178585: (b) (6), (b) (7)(C) Affidavit
Date: Tuesday, June 28, 2016 8:41:15 AM

Hi Lucy,

Thanks so much for your response. We'll work with (b) (6), (b) (7)(C) to schedule a time on the days you are available. We'll be in touch soon.

Thanks so much

Lauren

On Tue, Jun 28, 2016 at 8:37 AM, Reyes, Lucy E. <Lucy.Reyes@nlrb.gov> wrote:

Ms. Bonds,

I have no problem with you joining (b) (6), (b) (7)(C) affidavit via phone.

However, I will need to reschedule my appointment with (b) (6), (b) (7)(C)

I am available (b) (6), (b) (7)(C). After that, I will be available on (b) (6), (b) (7)(C) and on (b) (6), (b) (7)(C) in my office.

I could travel on (b) (6), (b) (7)(C) to meet (b) (6), (b) (7)(C) outside the office.

Sorry about the late notice.

Please let me know what day works best for you and (b) (6), (b) (7)(C)

Thank you,

Lucy E Reyes

Field Attorney

Region 1

National Labor Relations Board

lucy.reyes@nlrb.gov

[\(857\) 317-7800](tel:(857)317-7800)

Fax [\(617\) 565-6725](tel:6175656725)

From: Lauren Bonds [mailto:lauren.bonds@seiu.org]

Sent: Friday, June 24, 2016 3:05 PM

To: Reyes, Lucy E. <Lucy.Reyes@nlrb.gov>

Cc: (b) (6), (b) (7)(C) [REDACTED]@seiu.org>

Subject: Case 01-CA-178585: (b) (6), (b) (7)(C) Affidavit

Good Afternoon Ms. Reyes,

I hope you are well. We would like to join (b) (6), (b) (7)(C) affidavit via phone. Will that be possible? Just let me know.

Also, please find attached a video evidence of the threat.

Have a great weekend.

Thanks

Lauren

--

Lauren Bonds

Assistant General Counsel

Service Employees' International Union

1800 Massachusetts Avenue, NW 20036

Office: [\(202\) 730-7149](tel:2027307149)

Cell: [\(202\) 251-6699](tel:(202)251-6699)

--

Lauren Bonds
Assistant General Counsel
Service Employees' International Union
1800 Massachusetts Avenue, NW 20036
Office: (202) 730-7149
Cell: (202) 251-6699

From: [Lauren Bonds](#)
To: [Reyes, Lucy E.](#)
Cc: (b) (6), (b) (7)(C)
Subject: Re: (b) (6), (b) (7)(C) Affidavit
Date: Wednesday, July 13, 2016 9:48:11 AM

Hi Lucy,

Thanks for being flexible. We'd still like to sit on the affidavit. Should we call your office line (b) (6), (b) (7)(C) or would you prefer to call us (b) (6), (b) (7)(C)? Either way works for us.

Thanks

Lauren

On Mon, Jul 11, 2016 at 2:36 PM, Lauren Bonds <lauren.bonds@seiu.org> wrote:

Let me check on that

On Mon, Jul 11, 2016 at 11:22 AM, Reyes, Lucy E. <Lucy.Reyes@nlrb.gov> wrote:

I could also see (b) (6), (b) (7)(C) on the (b) (6), (b) (7)(C) of the (b) (6), (b) (7)(C)

From: Lauren Bonds [mailto:lauren.bonds@seiu.org]

Sent: Monday, July 11, 2016 10:55 AM

To: Reyes, Lucy E. <Lucy.Reyes@nlrb.gov>

Subject: Re: (b) (6), (b) (7)(C) Affidavit

(b) (6), (b) (7)(C) can come to the office but I believe (b) (6), (b) (7)(C) has a (b) (6), (b) (7)(C) conflict. I'll see how (b) (6), (b) (7)(C) can get there.

Thanks

Lauren

On Mon, Jul 11, 2016 at 10:09 AM, Reyes, Lucy E. <Lucy.Reyes@nlrb.gov> wrote:

Ms. Bonds,

The (b) (6), (b) (7)(C) works, but I'd rather see (b) (6), (b) (7)(C) at (b) (6), (b) (7)(C), as I have something in the

Regional Office at (b) (6), (b) (7)(C)

Also, because of that, will (b) (6), (b) (7)(C) be able to come to my office?

I'm at the Tip O'Neill Federal Building, 6th Floor.

Thank you,

Lucy E Reyes

Field Attorney

Region 1

National Labor Relations Board

lucy.reyes@nrlrb.gov

[\(857\) 317-7800](tel:(857)317-7800)

[\(202\) 702-6432](tel:(202)702-6432)

Fax [\(617\) 565-6725](tel:(617)565-6725)

From: Lauren Bonds [mailto:lauren.bonds@seiu.org]

Sent: Monday, July 11, 2016 9:49 AM

To: Reyes, Lucy E. <Lucy.Reyes@nrlrb.gov>

Subject: (b) (6), (b) (7)(C) Affidavit

Hi Lucy,

(b) (6), (b) (7)(C) is available to give (b) (6), (b) (7)(C) affidavit at (b) (6), (b) (7)(C) Will that time work for you?

Thanks

Lauren

--

Lauren Bonds

Assistant General Counsel

Service Employees' International Union

1800 Massachusetts Avenue, NW 20036

Office: [\(202\) 730-7149](tel:(202)730-7149)

Cell: [\(202\) 251-6699](tel:(202)251-6699)

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From: (b) (6), (b) (7)(C)
To: [Reyes, Lucy E.](#)
Cc: [Lauren Bonds](#)
Subject: Re: McCree d/b/a McDonald's, 01-CA-178585
Date: Friday, July 15, 2016 9:42:07 AM

Hi Lucy,

I just spoke with (b) (6), (b) (7)(C). Unfortunately, (b) (6), (b) (7)(C) no longer has the video footage of the initial confrontation with (b) (6), (b) (7)(C) because when the phone was slapped from (b) (6), (b) (7)(C) hand, the phone broke and the video cannot be retrieved. The video footage of (b) (6), (b) (7)(C) threat comes from another worker's phone.

Best,
(b) (6), (b) (7)(C)

On Thu, Jul 14, 2016 at 1:32 PM, Reyes, Lucy E. <Lucy.Reyes@nlrb.gov> wrote:

Thank you.

I was under the impression there was more video footage – as when (b) (6), (b) (7)(C) slapped the phone from (b) (6), (b) (7)(C) hand.

From: (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)@seiu.org]
Sent: Thursday, July 14, 2016 1:20 PM
To: Lauren Bonds <lauren.bonds@seiu.org>
Cc: Reyes, Lucy E. <Lucy.Reyes@nlrb.gov>
Subject: Re: McCree d/b/a McDonald's, 01-CA-178585

Hi Lucy,

I've attached the video from (b) (6), (b) (7)(C). Thank you for your time this afternoon.

Best,
(b) (6), (b) (7)(C)

On Thu, Jul 14, 2016 at 1:15 PM, Lauren Bonds <lauren.bonds@seiu.org> wrote:

Thanks so much Lucy. (b) (6), (b) (7)(C) will send you the video.

On Thu, Jul 14, 2016 at 1:14 PM, Reyes, Lucy E. <Lucy.Reyes@nlrb.gov> wrote:

Ms. Bonds and (b) (6), (b) (7)(C)

Here is a signed copy of (b) (6), (b) (7)(C) affidavit.

Thank you for your patience!

Please forward copies of the videos (b) (6), (b) (7)(C) referred to in (b) (6), (b) (7)(C) affidavit.

Thank you,

Lucy E Reyes

Field Attorney

Region 1

National Labor Relations Board

lucy.reyes@nlrb.gov

[\(857\) 317-7800](tel:(857)317-7800)

[\(202\) 702-6432](tel:(202)702-6432)

Fax [\(617\) 565-6725](tel:(617)565-6725)

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From: [Reyes, Lucy E.](#)
To: ["Lauren Bonds"](#)
Subject: RE: McBee Enterprises d/b/a McDonald's, 01-CA-178585
Date: Tuesday, September 27, 2016 8:52:00 AM

Ms. Bonds,

In order to finish our investigation of the allegations in this case, we need corroborating evidence. However, our deadlines are looming close... Please consider withdrawing the charge, and refiling it when witnesses become available. I know some of the allegations occurred in April 2016 – so I would recommend refiling right away.

Please call me and we can discuss this further.

Thank you,
Lucy Reyes

From: Lauren Bonds [mailto:lauren.bonds@seiu.org]
Sent: Thursday, September 22, 2016 9:16 AM
To: Reyes, Lucy E. <Lucy.Reyes@nlrb.gov>
Subject: Re: McBee Enterprises d/b/a McDonald's, 01-CA-178585

Hi Lucy,

Thanks for letting me know. I'll check in with (b) (6), (b) (7)(C) and see what is going on.

Lauren

On Thu, Sep 22, 2016 at 8:56 AM, Reyes, Lucy E. <Lucy.Reyes@nlrb.gov> wrote:

Ms. Bonds,

We have not been able to obtain additional witnesses in relation to this case. I have given (b) (6), (b) (7)(C) multiple dates, and have cleared my calendar to be available out in the field with no success. I arranged with (b) (6), (b) (7)(C) to meet a witness (b) (6), (b) (7)(C) in Brockton, Massachusetts; but, the witness never showed. I called and texted (b) (6), (b) (7)(C) from the site to verify that the witness was coming, (or to make other arrangements for (b) (6), (b) (7)(C) to no avail.

We need witnesses to corroborate the testimony we have, particularly of the main incident on (b) (6), 2016 (where there were at least (b) (6) participants). Please contact me to arrange this.

If we cannot get this additional evidence by September 27, the Regional Director will issue his decision based on the evidence we now have.

Thank you,

Lucy E Reyes
Field Attorney
Region 1
National Labor Relations Board
[\(857\) 317-7800](tel:(857)317-7800)
[\(202\) 702-6432](tel:(202)702-6432)

From: Lauren Bonds [mailto:lauren.bonds@seiu.org]
Sent: Tuesday, September 13, 2016 10:50 AM
To: Reyes, Lucy E. <Lucy.Reyes@nlrb.gov>
Subject: 01-CA0178585 (b) (6), (b) (7)(C)

Hi Lucy,

I spoke to (b) (6), (b) (7)(C) has a worker (b) (6), (b) (7)(C) can bring in to meet with you. Feel free to reach out to (b) (6), (b) (7)(C) directly to schedule a time.

(b) (6), (b) (7)(C)

Thanks

Lauren

--

Lauren Bonds
Assistant General Counsel
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Office: [\(202\) 730-7149](tel:(202)730-7149)
Cell: [\(202\) 251-6699](tel:(202)251-6699)

--

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Office: (202) 730-7149

Cell: (202) 251-6699

From: [Jaffe, Leah Z.](#)
To: [Gemperline, Elizabeth A.](#); [Dunham, Geoffrey](#)
Cc: [McCarthy, Kathleen F.](#); [Reyes, Lucy E.](#)
Subject: RE: Request approval (b) (5) of McBee Enterprises D/B/A McDonalds 1-CA-178585
Date: Tuesday, September 27, 2016 2:26:23 PM

Elizabeth, I am forwarding your email to DRA Geoffrey Dunham who is in charge of all things McDonalds

Leah Z. Jaffe
Regional Attorney
National Labor Relations Board, Region 2
26 Federal Plaza, Room 3614
New York, N.Y. 10278
(212) 776-8619
FAX (212) 264-2450
leah.jaffe@nrlrb.gov

From: Gemperline, Elizabeth A.
Sent: Tuesday, September 27, 2016 2:16 PM
To: Jaffe, Leah Z. <leah.jaffe@nrlrb.gov>
Cc: McCarthy, Kathleen F. <Kathleen.McCarthy@nrlrb.gov>; Reyes, Lucy E. <Lucy.Reyes@nrlrb.gov>
Subject: Request approval (b) (5) of McBee Enterprises D/B/A McDonalds 1-CA-178585

Good afternoon Leah,

Region1 requests (b) (5)

[REDACTED]

(b) (5)

[REDACTED]

Please let me know if you need any additional information.

Elizabeth Gemperline
ARD Region 1

Case Name: MCBEE ENTERPRISES D/B/A MCDONALDS AND MCDONALDS USA
 LLC
 Case No.: 01-CA-178585
 Agent: Lucy E. Reyes, Field Attorney

CASEHANDLING LOG

Date	Person Contacted	Method of Contact	Description of Contact or Activity
6/21	Dan Livingston	P	L/M that I'm looking for info to take statements in case.
	Livingston	P	(b) (6), (b) (7)(C) is person I should speak w at (b) (6), (b) (7)(C)
	(b) (6), (b) (7)(C)	P	Said (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C) who'll have info on case (b) (6), (b) (7)(C)
	(b) (6), (b) (7)(C)	P	Will meet me here on (b) (6), (b) (7)(C).
6/28	Lauren Bonds, Esq.	P	Attorneys want to sit in on meeting on the phone if we could do it on 7/14 w (b) (6), (b) (7)(C) here. I said no problem.
8/8	Doreen Davis, Esq.	P	L/M that I was looking for response from ER to our 7/14 evidence request. Asked that she let me know if we should expect response from ER; and, by when.
	Michael Ferrell, Esq.	P	Said his firm ONLY represents McDonalds USA and NOT the franchisee. Said he'll provide PST for his client; but, it will be a one page PST w not much details. Asked him who represented franchisee. Said he'll send me info.
8/31	Livingston	P	L/M that we need more information about franchise, if they have it. (b) (5), (b) (6), (b) (7)(C) <div style="background-color: black; width: 300px; height: 20px; margin-top: 5px;"></div> <div style="background-color: black; width: 350px; height: 80px; margin-top: 10px;"></div>

Date	Person Contacted	Method of Contact	Description of Contact or Activity
	Bonds	P	<p>Explained what I left on Livingston's message. (b) (5), (b) (6), (b) (7)(C)</p> <p>Asked about franchise information. She said they provided it to Region 2 for that case. Their position now is that we should get it from Region 2 if we need it.</p> <p>(b) (5), (b) (6), (b) (7)(C)</p> <p>Will get back to me on the rest.</p>
9/13	(b) (6), (b) (7)(C)	P	Said (b) (6) send me info on potential witnesses by email.
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	P	<p>Said (b) (5), (b) (6), (b) (7)(C)</p> <p></p> <p></p> <p></p> <p></p>

[illegible]

[illegible]

[illegible]

Date	Person Contacted	Method of Contact	Description of Contact or Activity



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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10 Causeway St Fl 6
Boston, MA 02222-1001

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September 29, 2016

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CHICAGO, IL 60601-1701

Re: MCBEE ENTERPRISES D/B/A
MCDONALDS & MCDONALDS USA
LLC
Case 01-CA-178585

Dear Mr. Blake, Ms. Davis, Ms. Couzo, Mr. Ferrell:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ John J. Walsh, Jr.

JOHN J. WALSH, JR.
Regional Director

cc:

DANIEL E. LIVINGSTON, ATTORNEY
LIVINGSTON, ADLER, PULDA, MEIKLEJOHN & KELLY, P.C.
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HARTFORD, CT 06105-2922

MCBEE ENTERPRISES D/B/A
MCDONALDS AND MCDONALDS USA
LLC
Case 01-CA-178585

- 2 -

September 29, 2016

cc:

JUDITH A. SCOTT, GENERAL COUNSEL
LAUREN BONDS, ESQ.
SERVICE EMPLOYEES INTERNATIONAL UNION
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FAST FOOD WORKERS COMMITTEE
1 METROTECH ROADWAY
BROOKLYN, NY 11201

(b) (6), (b) (7)(C)

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BROCKTON, MA 02301-1665

GLORIA SANTONA
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2111 MCDONALD'S DRIVE
OAK BROOK, IL 60523-2199